

# WARRIOR



# PRIDE



The

Limited Use Policy



# Objectives

- Identify the objectives of the Limited Use Policy
- Identify what evidence is protected under this policy.



# **Limited Use Policy Objectives**

- Facilitate the identification of alcohol and other drug abusers by encouraging identification through self-referral.**
- Facilitate the treatment and rehabilitation of those abusers who demonstrate the potential for rehabilitation and retention.**

**Reference: AR 600-85 paragraph 6-3, Army Substance Abuse Program (ASAP), dated 1 Oct 01.**



# Limited Use Policy

- **Prohibits the use by the government of protected evidence against a Soldier in:**
  - **Courts-martial**
  - **UCMJ**
  - **Unfavorable characterization of service.**
- **Self-referrals for Drug abuse**
  - **No separation actions required.**
  - **No UCMJ**

**Note: A Soldier can still be administratively discharged but will receive an Honorable Discharge.**



# Limited Use Policy

- **What is Protected Evidence?**
  - **Results of a command directed/competence or fitness for duty urine or alcohol test.**
  - **A rehabilitation test as part of the ASAP treatment plan.**
  - **Information about a Soldier's prior**
    - **Drug or alcohol abuse**
    - **Possession of drugs for personal use**



# Protected Evidence

**Information collected as a result of a Soldier's emergency medical care for an actual or possible alcohol or drug overdose about**

- Drug or alcohol abuse**
- Possession of drugs for personal use**
- Drug tests**

**Note: This does not include medical care resulting from apprehension of law enforcement or if the initial hospital admission was for other than alcohol or drug abuse.**



# Protected Evidence

- **Drug test results of a Soldier who self-refers, who is tested prior to the drug being eliminated from his body.**
- **Example: A Soldier self refers on Monday after using cocaine on Sunday; the commander ordered a 100% test on Tuesday. The test result on the Soldier was positive because cocaine is detectable for up to 3 days in the body.**
- **Example: If the same Soldier tested positive a week later then this evidence is NOT protected, because the Soldier must have used cocaine again.**



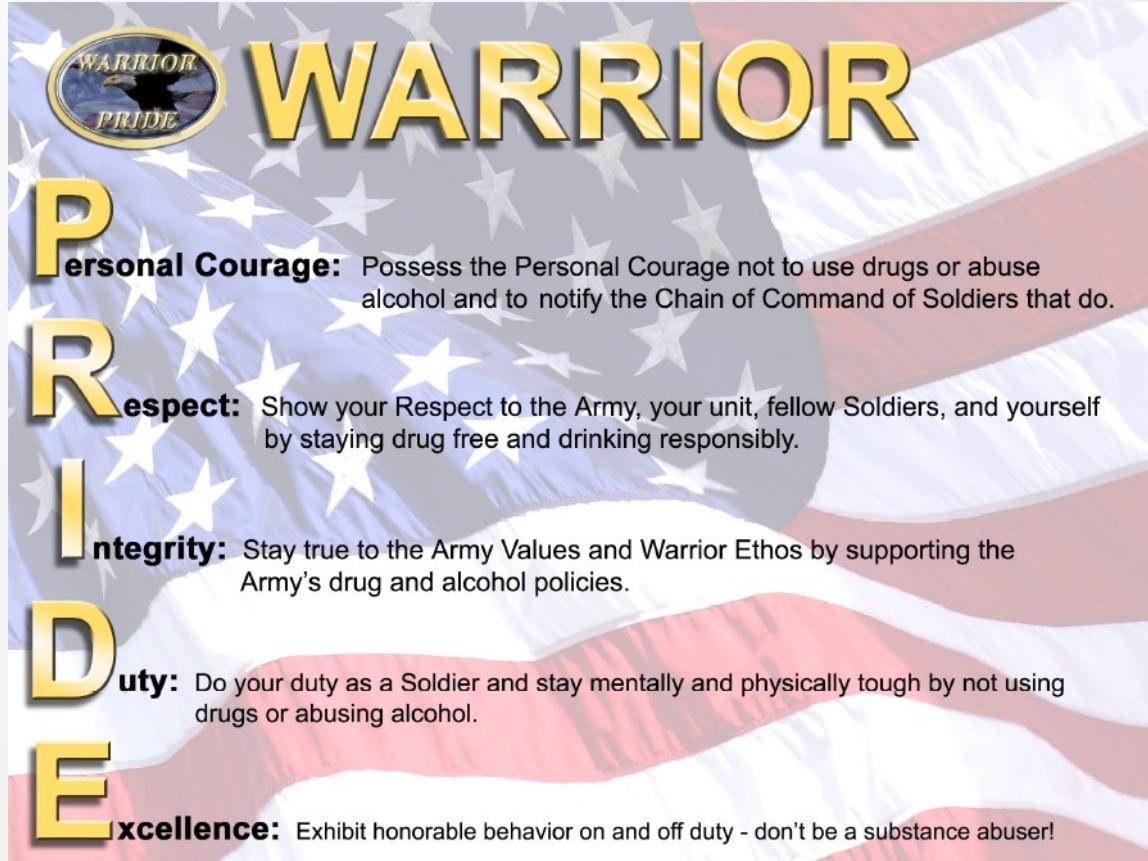
# Limited Use Policy

- **Limited Use Policy does not apply to the following evidence:**
  - **A positive test that results from law enforcement activities.**
  - **A positive urine rehabilitation test on a Soldier who is enrolled for alcohol abuse.**
  - **Information concerning drug or alcohol abuse or possession of drugs for personal use occurring AFTER a Soldier's self-referral.**
  - **A positive urine test on a Soldier conducted on a regular urinalysis after the Soldier is enrolled in ASAP.**



# Summary

- **Limited Use Policy Objectives**
- **Protected Evidence**
- **Questions**





# Need Information

- List yourself and the ASAP telephone numbers and locations.